IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/692,913	§		
Filed:	October 24, 2003	§	Examiner:	Ingberg, Todd D.
Inventor:		§	Group/Art Unit:	2193
Ray Y. Lai		§	Atty. Dkt. No:	5681-66303
Title:	System and Method for Integration of Web Services	§ §		

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellant requests review of the rejection in the above-identified application Claims 1-92 remain pending in the application. Claims 18-92 have been withdrawn. Claims 1-17 stand finally rejected.

Examiner rejected claims 1-4, 8-10 and 13-14 under 35 U.S.C. § 102(e) as being anticipated by Conallen ("Building Web Applications with UML", Second Edition). The following **clear errors** are noted in Examiner's rejection.

Claim 1

1. **Conallen is not prior art under § 102(e)**. Conallen is not a patent or published patent application. Therefore, the rejection under § 102(e) is improper.

2. **Conallen is clearly directed at Web applications and not at Web Services.** On p. 3, 1st paragraph, Conallen states "this book is about building model-driven Web applications." The term Web Services is well known in the art, and one of ordinary skill in the art would recognize the difference between "Web Services" and "Web applications." The background section of the instant application provides an extensive discussion of Web Services. Conallen clearly defines Web applications "for the purpose of this book" in the paragraph beginning on p. 9 and extending onto p. 10. Conallen does briefly discuss Web Services on pp. 63-68, in a section titled "Web Services" that appears in Chapter 4, titled "Beyond HTTP and HTML," which begins on p. 49. Conallen makes clear the distinction between Web Services and Web applications in the 3rd paragraph on p. 63: "The term Web Services is the latest hot phrase in development circles. Although the term has the word Web in it, it is not a Web application-specific technology. Instead, it uses Web technologies, such as Web servers and HTTP, to provide a set of services that can be invoked by other programs on the network." Thus, both Conallen and Appellant's

specification are consistent in distinguishing Web Services from Web applications. Most of Conallen cited by Examiner pertains to Web applications, not Web Services. Nowhere does Conallen extend the notions presented in his book to generating integrated Web Service architectures**.** Again, Conallen clearly states "this book is about building model-driven Web applications." Conallen's discussion of Web Services is simply an aside "discuss[ing] the limitations and extensions to…two principal elements of Web applications: HTTP and HTML" (p. 49, 2nd paragraph).

In the Examiner's response in the Action dated June 26, 2008, the Examiner appears to assert that because Conallen "provides a CASE tool" and also mentions WSDL, Conallen's UML could also be used to "build Web Services". As noted, Conallen's discussion of Web Services, where WSDL is mentioned, is in Chapter 4, an aside "discuss[ing] the limitations and extensions to…two principal elements of Web applications." Conallen specifically states, in the 3rd paragraph on p. 63: "Although [Web Services] has the word Web in it, it is not a Web application-specific technology." On p. 3, 1st paragraph, Conallen states "this book is about building model-driven Web applications." On p. 68, Conallen states "Although this book is not directly devoted to an exploration of how to build Web services, it is hoped that an understanding of the issues involved in building Web applications can be applied to the building of scalable, robust Web services." Again, Conallen clearly differentiates between Web services and Web applications, and makes it clear that the "book" is not directed at a method or tool for building Web services. Moreover, it is clear from Conallen's discussion of Web services that simply combining WSDL with Conallen's disclosed UML would not be sufficient to produce a system for generating an integrated Web Service architecture, and so on, as is recited in claim 1; surely, Conallen would mention that, if it was true. Conallen clearly does not teach or suggest that his disclosed system of "building model-driven Web applications" could be used to build Web services; in fact, in the citation above, **Conallen clearly indicates that it is not sufficient for such a purpose**. The Examiner goes on to assert "the claim limitations that exclude using the disclosed tool to generate a Web service using WSDL is not present." No such claim limitation is necessary to distinguish Appellant's claim from Conallen, as Conallen himself clearly indicates that the disclosed tool is not sufficient to generate a Web service using or not using WSDL.

3. Conallen does not anticipate *a system for integrating Web Services with a business system.* Examiner cites Conallen, p. 9, last paragraph, which simply states "A Web application builds on and extends a Web system to add business functionality." As noted in the background section of the instant application and in Conallen, and as shown above, Web applications are clearly and distinctly different than Web Services.

4. Conallen does not anticipate *program instructions executable by the processor to: generate an integrated Web Service architecture.* Examiner first cites Conallen, p. 10, FIG. 2-1, which shows a block diagram of a "basic Web system." Page 10 simply includes a portion of a paragraph, cited above, that defines Web applications and thus distinguishes between Web Services and Web applications, and an introduction to a discussion of HTTP. These citations do not teach "program instructions executable by the processor to" do anything, much less program instructions executable by a processor to *generate an integrated Web Service architecture*. Conallen's book does not teach any such system comprising a processor and memory comprising program instructions to perform the elements as actually recited in claim 1 when considered as a whole. **In fact, while Conallen's book is "about building model-driven Web applications," Conallen does not even teach *a system comprising: a processor; and a memory comprising program instructions, wherein the program instructions are executable by the processor to: generate a Web application architecture.***

Examiner then cites pp. 65-66, 64-65, and 66-68 along with p. 10, FIG. 2-1. As noted above, these citations are from Conallen's discussion of Web Services that is an aside "discuss[ing] the limitations and extensions to…two principal elements of Web applications." These citations describe UDDI, SOAP and WSDL, respectively. However, like the above citations, these citations do not teach "program instructions executable by the processor to" do anything, much less program instructions executable by a processor to *generate an integrated Web Service architecture*. Nor do the citations in combination teach the limitations as recited in claim 1.

5. Conallen does not anticipate *program instructions executable by the processor to: generate an integrated Web Service architecture comprising a plurality of heterogeneous components of the business system in accordance with one or more integration design patterns*. Examiner cites Conallen, p. 425, "Master Template Pattern or classes – one example in FIG. 6-11, p. 115." Page 425 appears in Appendix D, "Master Template Pattern." The 1st paragraph on p. 423 describes a "master template mechanism" in which "one page template (JSP) is used for all outgoing pages" and which is "most useful for applications that can benefit from an explicitly controlled user interface template." Page 425 includes further discussion of "screen templates" and "class diagrams." Appendix D, which discusses a "master template mechanism" in which "one page template (JSP) is used for all outgoing pages, thereby helping enforce a consistent user interface look-and-feel" clearly does not describe anything like *one or more integration design patterns* used in generating *an integrated Web Service architecture comprising a plurality of heterogeneous components of the business system.* Furthermore, FIG. 6-11 on p. 115 illustrates a "requirements set", discussion of which starts on p. 114, and has nothing whatsoever to do with Appendix D, and, contrary to Examiner's assertion, is nowhere in Conallen described as "one example" of a Master Template Pattern.

6. **Conallen does not anticipate *program instructions executable by the processor to: generate one or more Use Cases for the integrated Web Service.*** While Conallen discusses various "use cases," as cited by the Examiner, nowhere does Conallen disclose one or more Use Cases for an integrated **Web Service**. Conallen is directed at building Web applications, not Web Services. The citations provided by Examiner disclose various Web application use cases. On p. 173, at the beginning of a section titled "Use Cases", Conallen actually states: "Because a full discussion of use cases is beyond the scope of this book, I will concentrate on the highlights and more interesting points as they relate specifically to Web-based applications." Furthermore, while Conallen does disclose Web application-specific Use Cases, nowhere does Conallen disclose *program instructions executable by a processor to generate one or more Use Cases for an integrated Web Service.* In fact, Conallen does not even disclose *program instructions executable by a processor to generate one or more Use Cases* in reference to the Web application-specific Use Cases Conallen does discuss.

7. **Conallen does not anticipate *program instructions executable by the processor to: generate a high-level architecture for the integrated Web Service.*** Examiner asserts "as per above" in reference to this limitation. Appellant's above arguments make it clear that Conallen is not even directed at generating architectures for integrated Web Services. Furthermore, Conallen does not even disclose *program instructions executable by a processor to generate a high-level architecture* of any type. **Conallen nowhere discloses any such program instructions.**

8. **Conallen does not anticipate *wherein the high-level architecture identifies two or more entities of the integrated Web Service.*** Examiner cites Conallen, p. 438. This citation is from Appendix E, "Glossary Application." The 2nd paragraph on p. 429 states: "The overall goal and vision for this application is to demonstrate, in the context of a simple and functional application, a technique for modeling Web applications with UML." This Appendix is clearly directed at a technique for modeling Web applications, and not at Web Services, and thus none of the examples from this Appendix, including p. 438, illustrate *a high-level architecture [for an integrated Web Service] that identifies two or more entities of the integrated Web Service*.

9. **Conallen does not anticipate *wherein the high-level architecture identifies two or more entities of the integrated Web Service and the relationships and interactions among the entities.*** Examiner cites p. 177, "relationship." This citation appears in a section titled "The Use Case Model", and

discusses relationships between "actors" and Use Cases (p. 177, 1st paragraph) and relationships between Use Cases (p. 177, 2nd paragraph). This citation clearly describes nothing like the above limitations as actually recited in claim 1.

10. Conallen does not anticipate *program instructions executable by the processor to generate a logical architecture for the integrated Web Service according to the Use Cases, wherein the logical architecture identifies two or more logical components of the integrated Web Service and the relationship among the logical components, and wherein the logical architecture comprises two or more layers.* Examiner cites Conallen, pp. 237-242, which is in a section titled "Web Application Extension [WAE] for UML". This section is directed at Web applications, not Web Services. The subsection beginning on p. 237, cited by Examiner, is titled "Logical View." This subsection is clearly directed at Web applications, not Web Services. Furthermore, Conallen, in this section or elsewhere, does not even disclose *program instructions executable by a processor to generate a logical architecture* of any type.

11. Conallen clearly does not anticipate Appellant's claim 1. Nowhere does Conallen disclose "each and every element of the claimed invention" as arranged in the claim. Moreover, Examiner has improperly cited portions of Conallen from various chapters, sections, and appendices, some of which are not directly related, in an attempt to assert that Conallen anticipates claim 1.

In light of the foregoing remarks, Appellant submits the application is in condition for allowance, and notice to that effect is respectfully requested. If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Appellant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505/5681-66303/RCK.

Respectfully submitted,

/Robert C. Kowert/
Robert C. Kowert, Reg. #39,255
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850

Date: September 26, 2008